

## § 165.117

## 33 CFR Ch. I (7–1–11 Edition)

the Port, Boston or his authorized patrol representative.

[CGD01-02-016, 67 FR 45909, July 11, 2002, as amended by USCG-2009-0416, 74 FR 27441, June 10, 2009]

### § 165.117 Regulated Navigation Areas, Safety and Security Zones: Deepwater Ports, First Coast Guard District.

(a) *Location*—(1) *Regulated navigation areas*. All waters within a 1,000 meter radius of the geographical positions set forth in paragraph (a)(3) of this section are designated as regulated navigation areas.

(2) *Safety and security zones*. All waters within a 500-meter radius of the geographic positions set forth in paragraph (a)(3) of this section are designated as safety and security zones.

(3) *Coordinates*. (i) The geographic coordinates forming the loci for the regulated navigation areas, safety and security zones for the Northeast Gateway Deepwater Port are: 42°23'38" N, 070°35'31" W; and 42°23'56" N, 070°37'00" W (NAD 83).

(ii) [Reserved]

(b) *Definitions*. As used in this section—

*Authorized representative* means a Coast Guard commissioned, warrant, or petty officer or a Federal, State, or local law enforcement officer designated by or assisting the Captain of the Port (COTP) Boston.

*Deepwater port* means any facility or structure meeting the definition of deepwater port in 33 CFR 148.5.

*Dredge* means fishing gear consisting of a mouth frame attached to a holding bag constructed of metal rings or mesh.

*Support vessel* means any vessel meeting the definition of support vessel in 33 CFR 148.5.

*Trap* means a portable, enclosed device with one or more gates or entrances and one or more lines attached to surface floats used for fishing. Also called a pot.

(c) *Applicability*. This section applies to all vessels operating in the regulated navigation areas set forth in paragraph (a) of this section, except—

(1) Those vessels conducting cargo transfer operations with the deepwater

ports whose coordinates are provided in paragraph (a)(3) of this section.

(2) Support vessels operating in conjunction therewith, and

(3) Coast Guard vessels or other law enforcement vessels operated by or under the direction of an authorized representative of the COTP Boston.

(d) *Regulations*. (1) No vessel may anchor, engage in diving operations, or commercial fishing using nets, dredges, traps (pots), or use of remotely operated vehicles (ROVs) in the regulated navigation areas set forth in paragraph (a)(1) of this section.

(2) In accordance with the general regulations in §§ 165.23 and 165.33 of this part, entry into or movement within the safety and security zones designated in paragraph (a)(2) of this section is prohibited unless authorized by the COTP Boston, or his/her authorized representative.

(3) Notwithstanding paragraph (d)(2) of this section, tankers and support vessels, as defined in 33 CFR 148.5, operating in the vicinity of NEGDWP are authorized to enter and move within such zones in the normal course of their operations following the requirements set forth in 33 CFR 150.340 and 150.345, respectively.

(4) All vessels operating within the safety and security zones described in paragraph (a)(2) of this section must comply with the instructions of the COTP or his/her authorized representative.

[USCG-2007-0087, 73 FR 34194, June 17, 2008, as amended by USCG-2009-0589, 75 FR 51377, Aug. 20, 2010]

EDITORIAL NOTE: By USCG-2009-0589, 75 FR 51377, Aug. 20, 2010, § 165.117 was amended by revising paragraph (a)(3); however, the amendment could not be incorporated due to inaccurate amendatory instruction.

### § 165.120 Safety Zone: Chelsea River, Boston Inner Harbor, Boston, MA.

(a) *Location*. The following area is a safety zone: The waters of the Chelsea River, Boston Inner Harbor, for 100 yards upstream and downstream of the center of the Chelsea Street Draw span (in the approximate position of latitude 42°23'10.3" N., longitude 71°01'21.2" W.). [NAD83].

(b) *Regulation*. The following standards are the minimum requirements for